

File No. 23 - 13

Serial Nos. 1 - 15

190

GENERAL AND REVENUE SECRETARIAT

Part A: Manuscript
for March 1916

Serial Nos. 1 - 15
Subject Amendment of section 2 of the
Mysore civil Courts Regulation 1883.

previous references

File NO. 23 of 1913

keeps 43-13.

to 345-1576-21

Government OF His Highness The Maharaja Of Mysore.

Proceedings of the General and Revenue Secretariat.

March 1916.

Legislation.

"A" Collection

Serials 1 to 14.

A Regulation to amend the Mysore Civil Courts Regulation

Table of contents.

Serial Number and date of letter and contents. Page in A
NO. Proceedings
of File

Letter NO. 1805/155 dated 3-11-1913, from the Registrar
Chief Court.

Recommends the repeal of the first two sentences
in Sec. 21 of the Mysore Civil Courts Regulation, 1883.
Letter NO. J 1847 dated 26-12-1913, to the Registrar,
Chief Court.

Requests him to forward the entire records of the
case which gave rise to the proposed amendment.

Letter NO. 2790/232 dated 19-1-1914, from the Registrar
Chief Court.

Forwards the records called for.

Letter NO. J, 2804. dated 28-3-1914, to the Registrar,
Chief Court.

Forwards for opinion a copy of the draft rules
proposed to be issued under Sec. 21 of the Civil Courts
Regulation.

Letter NO. 220/19 dated 16/20-7-1914, from the Deputy
Registrar, Chief Court.

Forwards the opinion of the Judges of the Chief
on the draft rules.

Letter NO. 2380 dated 17-11-1914, to the Honble the
President in Mysore.

Regulation with a statement of objects and reasons and informs that it will be laid before the Legislative Council on the 21st November 1914.

Letter NO. 8702 dated 27-11-1914, from the First Assistant to the Resident in Mysore.

States that there is no prima facie objection to the Bill being laid before the Legislative Council.

- 8 Letter NO. PO1. 265 dated 1-9-1915, to the First Assistant to the Hon'ble the Resident in Mysore.

Forwards two copies of the Bill and requests that sanction of the Govt. of India be obtained for being passed into law.

- 9 Letter NO. 7104 dated 30-9-1915, from the First Assistant to the Hon'ble the Resident in Mysore.

Communicates the sanction of the Govt. of India for the Bill being passed into law.

- 10 Letter NO. J 2071 dated 30-11-1915, to the Compiler, Mysore Gazette.

Orders the publication of the Bill as Regulation IX of 1915.

- 11 Letter NO. PO1 630 dated 20-12-1915, to the First Assistant to the Hon'ble the Resident in Mysore.

Forwards 1 copy of the ^{Regulation} Bill and requests to forward two copies of the same to His Highness the Nizam's Govt.

- 12 Letter NO. J 2478 dated 31-12-1915, to the Registrar, Chief Court.

Forwards 32 copies of the ~~Bill~~ Regulation.

- 13 Letter NO. 3012 dated 22-12-1915, from the Registrar, Chief Court.

Acknowledges the receipt of the copies of the ^{Regulation} Bill.

- 14 Notification NO. J 3588 dated 4-3-1916, to the Compiler, Mysore Gazette,

Prescribes rules for making appointments to minis.

GENERAL AND REVENUE SECRETARIAT.

(Lgts)

NOTES.

File No. 23-13

FILE HEADING.

Amendment of section 21 of the
Mysore civil Courts Regn., 1883
and Rules thereunder

The Registrar, Chief Court of Mysore
Bangalore

805/155

Dated 3/11/13

Received 5/11/13

No. of 1900

Enclos. one

Spare Copies.

Serial No.

BRIEF ABSTRACT OF LETTER.

Serial 1

Recommends the repeal of the
first two sentences in section 21 of
the Mysore civil Courts Regn., 1883.

The proposal
should first be
approved by
the before the
Drafts
Paper in

Submitted with a draft Bill
containing the amendment in
the last para of the Chief Court
letter. To make the remaining sentence in
the section clear a slight modification is also

(48) M.N.N. -) The proposal should be
going before bill is draft
11/13 - - Please put up separately
2 statement showing the usual establish-
ment, into pay in a Munsiff's Court
a District Judge's Court. Please also put
refers ~~showing~~ showing in what
cases, appointments made by the Court
should be reported to Govt for

ad.?) A statement as directed above is put
all ~~miscellaneous~~ appointments, whether permanent
or temporary, carrying salaries fixed at
above or professing to Rs 100/- should be
reported to Govt for sanction.

4) The proposal of
Court involves the amendment of sec
21 of the Civil Courts Regt, the two
sentences of the section being
omitted

5) The section now lays down
the general rule that all measures

officers^{of the Court} shall be appointed by the
Judge of that Court. The Munsiff,
Sub Judge or District Judge is thus given
power to appoint all their ministerial
offices, subject to ~~obtain~~ the approval
of the District Court or the Chief Court
as the case may be. This power
involves the appointment of a H.
Munshi on Rs 40 ~~or that~~ by a
Munsiff or that of a Sheradadar
on Rs 100 (subject to approval by the
Chief Court). It will be at once obvious
that Judicial Officers can exercise
much larger powers of patronage than
can be exercised by Corresponding
Officers of other Depts. A Rev. Arbitrator
can appoint offrs of his office
only up to Rs 25 & the District Court's
powers are also limited to a salary
of Rs 40. Moreover, the present rule
vesting the nomination of all ministerial
offices of whatever their pay may be
will also be inconvenient in working
since the claims of other offrs of
~~equivalent or even higher pay~~ ~~would be~~
~~overlooked~~ working in a different
Court are liable to be overlooked.

Assuming that the post of a Hd Munsh of a Munsiff Court on Rs 40 becomes vacant, there may be officials getting Rs 30 & in the division who may have claims to the appointment but the Munsiff of the Court where the vacancy occurs need not & ordinarily would not - consider the claims. It therefore seems to stand to reason that above a certain limit, all appointments should be made by an officer ~~whose~~ who can weigh the relative claims & merits of officials working in a large area, instead of the patronage being vested in the head of a small office. It may be that in practice, the rule laid down in the Regn is not worked strictly as it can be & that even no discontent has arisen. But this in itself is a sufficient reason why the statutory rule should be amended.

!) For these reasons, ~~the~~ it appears to me that the proposal of the Chief Court is worthy of adoption.

approved, a bill will be drafted

S.P. Ray-8

7. (Dr. Sen)

Sec 21 of the C.C. Reg. is rendered in practice more or less a dead letter by the Superior Officers concerned as a very general rule. Sometimes their interference is so exclusive as to supersede the presiding officers of subordinate Courts involved. It is far better to confer definite powers, ^{though small,} patronage, on judicial officers than merely to retain a provision nominally vesting in them very much & powers. In this sense a suitable amendment of Section would be not only generally welcome but necessary.

Dr. Sen

1st (Gunnellor)

8 Ask the bh ct to kindly send the correspondence referred to. H.V. Nargund

13/12/13

No 1847 dated 20/12/11
to the Reg. chief court -

Requests him to forward
inter records in the matter

No 2790/232 of 19/1/12

From the Reg. ^{Registrar} Chief Court

Forward the records called for
inter. The records were called
for as ordered per orders of the
1st member

S. V. S.
(48) M. N. M.

1/3/14
3

12. 1st member) S. P. Vayagopalai
SM
3/3

13. Before altering the law
it would be better to frame
the rules - please draft a set
of rules as indicated below and
send for the opinion of the
Chief Court

14. Munsiff Court

Appointments upto Rs 2
Subject to Confirmation

4. And appointments in super service upto Rs 25/- subject to approval

6. District Judge - Appointments in Munsiff's Courts above Rs 20/- in Sub-judges' Courts above Rs 25 and in the District Court upto absolutely.

Chief Court - All appointments below Rs 100/- absolutely
1. Rs 100/- and above subject to approval of Government.

H. V. Rangaswamy

5.3.14

2
57 2000 5/3

18. Draft 10/12

6/3
S. P. Rajagopalachari

submitted with a draft set of rules

ch (48) S. V. S

11/3/14 N.N. 20 Please also put up draft

2 as per 1st members order

Regis File No. 23 of 1913-14

Serial
No.

23

Subd. with a tidy draft of
the letter to the chief court.

(48) S.V.S
18/3/14 NN

24 B.N.D.)

S.P. Rajagopalachari

to (Amber)

18/3
done 19/3

S.M. Manabunga Rao

Draft appd. by 1st Member.

M.V. S.R.N.

22.3.14.

K. R. Srinivasan
Issue

(done 19/3)

S.P. Rajagopalachari 23/3

No. of 2804 dated 28th March 1914
to the Registrar Chief Court of
Mysore

Forwards for opinion, a copy of
draft rules proposed to be issued
under sec: 21 of the Civil Courts
Regulation.

No. 220 dated 16/3/14

From the ^{Registrar} Chief Court of
Mysore, Bangalore

Forwards the opinion of the judges
of the Chief Court on the draft

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No.

27 Submitted

Ch (48) S.V.S
27/7/14 M.N.N

28 The suggestions of the Chief Court may be adopted and Rule (1) recast as follows.

" A Munsiff may make all appointments in his court carrying a pay not exceeding Rs 20 per mensem, subject to confirmation by the District Judge.

Provides that no such confirmation shall be necessary for the appointment of menial servants other than Process boys.

29. The rules now framed relate exclusively to the appointment of minister officers, and not to ^{their} punishment. If as suggested by the Chief Court, the first two sentences of Section 21 of the Regulation be omitted and the rules now framed be adopted, there will be no specific provision regarding the punitive powers of the various judicial officers. It is true that power to appoint includes power to suspend or dismiss under Section 16 of the General Clauses Regn; but the rules will not be complete ^{as this} if

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~~The~~ to be determined by general presumption.
The question of adding to the rules already
framed ~~a few~~ ^{for} regulating punishments
may be considered.

So It is true that Sec 21
the Regn. contemplates rules of appointment
only being prescribed by Govt., but it would
not be difficult to amend it so as to
authorise the framing of rules of punishment.
Such rules will be necessary if the first
two sentences in the section dealing with
that subject, ~~et~~ ^{inter alia} ~~inter alia~~, are to be
omitted as suggested by the Chief Commr.
R. N. Manojunga Rao 24

25

Secy.)

Fis. (Number) 31) R. N. Manojunga Rao Secy.

2) I have shown the amend-
ment of the Regn. (S. 21) in
pencil. Please types the
amend^d Regn. & rules &
make 3 or 4 copies.

Routine-Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd

2. The First member desires that ~~the Reg~~ the amendment of the Regulation and Rules may be typed urgently and sent to him for his approval.

M.S.S.
M.T.J.

20 2 14

15
The Supdt
R. M. M.

33.

The First member wants this by this reg. typed so one hand may be allotted to this work.

M.T.J.
20/8

ould routine notes be written on small slips
he notes must be copied, or slips pasted on
his form.

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No.

26. 33

Submitted with 4 typed copies of the draft Bill as amended by the 1st member (vide copy of the circ Court Regn, 1883, put up as also of the Rules). The statement of objects and reasons ~~already~~ originally put up has also been typed and a slight pencil correction has been made in the end to be in conformity with the amendment of the sec: as now made. In the rules the proposal of the Chief Court to enable the Munsiff to finally appoint all merials (other than process serv and the addition of the words "by the 2^d judge at the end of Rule 1 have not been incorporated as no orders have been passed thereon.

^{S.V.S}
 20/8/14 ^{N.N.} 34 The suggestion in chief court is not noted for consideration. If it is approved, an amended ment c

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35. The draft of Regn and
st of obj & reasons may be
circulated as Cl matter.

36. Please retype copies
of ^{draft} rules under Civil Ct Regn

of a new draft under
Civil Ct Regn. As the Hon Judge
has not seen the rules, per-
haps it wd be better to con-
sult him. I shall do so & do.

H. V. Mangaraja

22/8/14

Es
25/8

37. Submitted with typed copies of the
revised draft rules under sec: 21 of the
civil courts Regn and of the draft rule
under sec: 7 of the Chief Court Regn.
After return of the file from the 1st mem
it will be sent to the Council Sec
for circulation.

Es
26/8

S. V. S

26/8/14

Just. Member) Examination

Serial
No.

39)
40) On the Civil Ct Regⁿ &c
we may await the reply of
the Ch. Judge to whom I have
sent the Copies desir^g officially.

41) The two rules under the
Ch. Ct Regⁿ which have not
gone before the Ch Ct already
may be referred officially
for opinion (& dealt with
a separate file)

[Signature]
29/8/14
31/14

42 Put up draft as directed

43 *C. Srinivasulu Sagar*
Separate file Legis 23-14 opened and
draft submitted therein.

[Signature] (48) S. V. S

4/9/14

44. I have put in the Ch. Judge
letter in reply. Please draft
accepting his suggestions & let
me see early.

3rd Secy (Legs)

[Signature]
H. V. Narayanaswamy 8/9/14 - 9/9/14

Dear Mr. Nanjundappa

I accept the principle of the
proposed amendment to sec 21 of the
Regulation but I think that
some provision must be made for
the absence of rule. I therefore
suggest the following

Unless the Government of Mysore ~~thinks~~,
by rule, otherwise directs, the Ministerial
officers of every Court shall be appointed
and may be punished, suspended, or
removed from office by the Judge of the
Court

Every appointment to a ministerial
office shall be made subject to such
rules as the Govt. of Mysore may from time
to time prescribe in this behalf

think this meets the case

As regards the Rules I have
no objection to offer, but as the
Rule 1 and Rule 2 (2) leave the
question of what is to be done if the
Superior refuses approval, still
undetermined. Would it be better
to add something like this under "Power
of the Chief Justice."

Where in ^{the} case of an appointment
by a Magistrate or a Sub Judge, which is
subject to the approval of the Dist. Judge
the Dist. Judge & the Magistrate or Sub Judge
on the case may be and unable to agree
upon an appointment, the matter
shall be reported for the order of the
Chief Judge, & his order shall be final

in with with that I have put
Chief Judge, not Chief Court; and I
prefer to alter Rule 4 of the proposed
rules & for Chief Court read Chief
Judge. If there was a general power
enabling the Chief Court Judge to perform
administration duties assigned to the Chief
just, it would not be necessary to alter
- proposed rule, but as that arrangement
will not work by a rule under
sec 19 of the "Chief Court Regs", it is
perhaps unnecessary to make two rules
but does present this - It may be
considered more symmetrical to reframe
the rule as framed & read Chief Court
all through and the Chief Court can
arrange under sec 19 who is to do the
work - I don't say this is really the better way.

are suitable they have the advantage
that - a better because a larger selection
can be made by the D. J. than by the
Inmate they should think help
to improve establishments.

There is nothing in the rules about transfers:
perhaps that is unnecessary: how is
there anything as to appeals from orders
of suspension or removal. I asked if this
matter is covered by rules in the Service
Regulation, but am told it is regulated
by practice only, reliance I suppose being
placed on the power of 'general control'
given by sec 8 of the Civ. C. Reg.

Yours sincerely

Arthur Hildes

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44g Draft is sub^d as suggested by the
Chief Judge

45g If Rules are framed under S 19 of the
Chief Court Regulation, the words "Chief
Court" will be substituted for "Chief Judge"
in rules 4, 5 & 6. The words "Chief Court"
would be more in consonance with the
powers conferred in the Regulation & as the
Chief Judge also agrees, these words, if
approved, will be substituted

46g Considering that there is no
express power of transferring ministerial off-
ices from the Chief Court to the District Court, it will be
better to add an additional clause when
the limits of S. 24 A of the Madras Civil
Court's Act. Though there is a section to the
effect that "the general control over all the
Civil Courts under this Act in any District
is vested in the District Judge" (S. 27), as
it was found necessary by the High Court
to have a section like 24 A introduced.

Modification may have to be slightly modified
to be in conformity with the existing practice

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No.

48 There is no need to provide for transfers. Even flogging or other punishment may not be necessary. But there is no harm. "Punishing" includes suspending & removing & so I have inserted 'flogging' in the draft of S. 21.

49 In the rules, the word 'Chief Court' should remain. If they like, they may pass a rule delegating all this power to the Ch. Judge.

50 The drafts may now be clearly retyped & circulated.

51 We need not wait for the passing of the amended section to issue the rules. They may just as well go under the present section 21.

53. Please put up clean drafts at once

C. Srinivasa Siva

15/9

53) Sur. with clean typed copies of the draft Bill with statement of objects and reasons and of the draft rules under sec: 21 of the civil courts Regn. These will be sent to the Council Section for circulation as ordered by the Secretary in para 5.8

ch 48 S.V.S.
16/9/14

(C.S.) 17/9

C. Srinivasa Siva

17.9.14

54 May this be circulated for consideration at a meeting?

Srinivas

Extract from the Proceedings of the.....337t].....Meeting
of the Council of His Highness the Maharaja,
held at.....Bangalore.....on the.....11th November.....1914

1. SUBJECT. (Clause ii of the Schedule

A Bill further to amend the Mysore Civil Courts
Regulation, 1883.

(b) Draft rules under section 21 of the said
regulation.

546) OPINION OF THE COUNCIL.

61 The Bill may be placed before the Legislative Council;
and the draft rules taken into consideration after the Bill
becomes law

General and Revenue

Legis File No. 23 of 1913-14

Serial
No.

6259)

A draft- Submission Note is put-up in accordance with
the opinion of the Council. The matter is very urgent
as ~~the~~ it is proposed to introduce the Bill before
the Leg. Council on the 21st Nov 1914.

Done)

Done of Rao
12/11

Submitted to His Highness.

These papers relate to the amendment of Sections 16 and 21 of the Civil Courts Regulation, 1883.

64. 2. The draft Bill with the statement of objects and reasons is submitted herewith.

62. 3. The statement of objects and reasons explains the necessity for the Bill which was considered in Council and approved.

I solicit His Highness's approval for placing the Bill before the Legislative Council. The proposed rules will be taken into consideration after the Bill be-

**Record of Cases submitted for the Orders
of His Highness the Maharaja.**

Subject.



A Bill further^d to amend the
Mysore Civil Courts Regulation, 1887

Serial
No.

A draft is put up to the Resident which may be approved

(Dewan)

Dues agl
141

66) Draft is approved by Dewan. A
copy signed by Dewan is placed on
the file
Hes H.E.S. 67 Dues now. Dues
22/11

17.11.14.

No D.O. 2380 dated 17/11/14

To the Honble the Resident in Mysore
Forwards the Bill with a state-
ment of objects and reasons and
informs that it will be laid before
the Legis. Council on 21/11/14

~~1747~~ No 8702 dated 27/11/14
from the J.A. Resident
Joint Assistant to the Honble

Informs that there is no prima facie
objection to the Bill being laid before
the Legis. Cl.

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of 1913-14

Serial
No. 2

68

Submitted Leave to introduce the Bill was given by the Legis. Commis on 21/11/14 and the Bill was read in council and referred to a select committee consisting of the 1st member (mover) and Messrs S. M. Naresinga Rao, C. S. Doranwar Iyer, B. Venkatasubramannu and S. R. Balakrishnaiah. The select committee recommended that the Bill ~~may be adopted~~ be adopted without any amendments. The Report of the Select committee was considered and the Bill adopted on the 28th June. The Bill has now to be sanctioned by the Govt. of India before it could be passed into law. A draft letter to the Residency is put up.

S.V.S.
21/8/15 M.L.

(f) Draft may be appd
R. Srinivasan &

(First Member)

70) Draft appd: by First member
on 29.8.15.

R. S. 12]

General and Revenue
Secretariat.

Legis File No. 23

of 1913-14

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No.

74)

Draft Final Note is submitted for
approval

A. Srinivasa Siva *SS*
u/u

Full Member

Final note appd. and signed
by First member is put up
in MS

on transmission

76) Draft note & submission is put up
for approval

A. Srinivasa Siva *SS*

Final Note by the First Member of Council.

Subject:-

Bill further to amend the Mysore Civil Courts Regulation, 1883.

77) The Bill for amending sections 16 and 21 of the -
Mysore Civil Courts Regulation, 1883, was placed before the
Mysore Legislative Council and was finally passed by them on
the 2nd October 1915. Its scope and purpose are fully explained in the statement of objects and reasons. The --
gracious sanction of His Highness is now required to promulgate it as law.

Submitted to His Highness.

76) I submit herewith a Final Note by the First Member of Council regarding the ²Bill further to amend the Mysore Civil Courts regulation, 1883, which has been passed by the Legislative Council. Sanction may graciously be accorded to its promulgation as law.

M. Viswanatha

28th Nov-1915.

Record of Cases submitted for the Orders
of His Highness the Maharaja

Subject.



*Promulgation as law of the Bil.
further to amend the Mysore Civil Court.
Regulation. 1883.*

Serial
No.

40) Subv. with a draft to the
Compiler Mysore Gazette to publish
the Regn. ~~of IX~~ as Reg. IX of 1915

CB S.V.S.
29/11/15
Vll

41) Issue

CS. Srinivasan Esq. 29/11

no 4271 dated 30/11/15
to the Compiler Mysore Gazette
Orders the publication of the
B as Reg. IX of 1915
Subv.

Spare copies have been received
from the Govt Press. 11 copies of
the same have to be sent to the
Residency. May some 32 copies
be sent to the Registrar Chief
Court for reference there
Two drafts are put up

CB S.V.S.
18/11/15 - Vll

42) Issue

CS. Srinivasan Esq. 18/11

no. 4271 dated 20th December 1915
to the ~~First Assistant to the~~ ^{Govt} Resident

Forwards as usual 11 copies of the Bill

regis File No. 23

of 1913

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12

No. of 2478 dated 21st December 1913
to the Registrar, Chief Court of Mysore
Forwards 32 copies of the Reg.

No. 3012/235 dated 22nd December 1915
From the Registrar Chief Court of Mysore

Acknowledges the receipt of the
copies sent with ~~sl. 12~~ sl. 12.

1) Sub

On page 18 of the notes para 5th of
the Council have resolved that
the draft rules under sec: 2
of the Civil Courts Regulation
should be taken into consider
ation after the passing of the Bill
amending that sec: That Bill has
now become law as Reg. IX of 1915
& 5) The draft rules as approved by
the 1st member has now to be taken
into consideration. The opinion of the
Chief Court has also been obtained
(vide Leg's 23-13-5)

CP S. V. S
5/1/16

G. Srinivasa Siva 6/1/16

Sub. M. an. on

86) It may also be con
sidered whether for

Should reserve a power
of revision over appellate
orders passed

§7/The file may be
circulated for Council.

Н. Н. Нарциссбауэр

[Handwritten signature]

19/20/11

*) (Was there not a draft made of one or two rules under the bh Ct Regⁿ in this connection?) (20/1/16 ^{ans})

207A/16

90, Put up references

4. Prithviash Dya

Sent.

91) File No. Byis 23-14 Ss1-3B. ^{Regarding} ~~containing~~ the rules under sec: 7 of the Mysore Chief Court-Regulation, 1884, is put up herewith.

2/4/16 S.V.S. *[Signature]*

2/1/16 M.
921 - The Rules issued under Antwerp
Court Regulation refer to the appointment of
Registrar and the Deputy Registrar, and of clerks
drawing a salary of Rs 100/- and upwards.

9. *Erinacea* var *lyra* Es 2 y.

First Member

I see this is in
dependent.

only
2511

GPB-70.000--17-12-15

27/1/16

H.V. Nair

Extract from the Proceedings of the.....374th.....Meeting of the Council
of His Highness the Maharaja, held at.....Bangalore.....
on the.....2nd December.....19 16.

SUBJECT. - (Clause ii of the Schedule).

Draft rules under section 21 of the Mysore Civil
Courts Regulation.

OPINION OF THE COUNCIL.

The annexed draft rules may be approved.

Final Note by the First Member of Council.

Subject:— Rules under section 21 of the
Mysore Civil Courts Regulation, 1883.

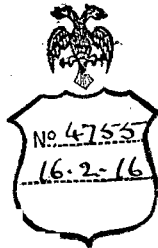
When the draft Bill to amend the Mysore Civil Courts Regulation, 1883, was last submitted to His Highness the Maharaja for approval, it was stated that the proposed rules under section 21 of the Regulation as revised by that Bill would be taken into consideration after the Bill became law. The Bill became law on the 26th. November 1915 as Regulation IX of 1915. The proposed rules, drawn up on the recommendation of the Chief Court, were thereupon considered by Council who are of opinion that the rules may be approved.

Submitted to His Highness.

7) I herewith submit a Final^x Note by the First member of Council regarding the rules^x which it is proposed to issue under section 21 of the Mysore Civil Courts Regulation, 1883, as amended by Regulation IX of 1915, for regulating appointments in subordinate Civil Courts, and solicit that the same may be approved.

Record of Cases submitted for the Orders
of His Highness the Maharaja

Subject.



Draft rules under section 21
of the Mysore Civil Courts Regulation
for regulating appointments in subordinate
Civil Courts.

STATEMENT OF CASES SUBMITTED FOR THE ORDERS OF HIS HIGHNESS THE MAHARAJA DURING THE TOUR OUTSIDE THE STATE IN.....February.....191

Serial No.	Subject	Recommendation of Council, or Member of Government in charge, as the case may be	Dewan's recommendation	Orders of His Highness	Orders regarding submission of file <i>(vide foot-note)</i>
74	Draft rules under section 21 of the Mysore Civil Courts Regulation for regulating appoint- ments in subordinate Civil Courts	<u>Opinion of Council.</u> The draft rules may be approved.	The draft rule may be approved.		

original notification no J 3588; dated 4th March 1916

Prescribes rules for making appointments
of Ministerial officers of the Civil Courts in Mys

G. R. S. 12]

General and Revenue
Secretariat.

Legis File No. 23 of 1913-14

Subd.

The file of papers received from
the Chief Court with the Registrar
letter no 2790/232 dated 1st
January 1914 (Legis 23-13-3)
to be returned. At the same time
if ordered 40 copies of the rules
also be sent for use in the Chief
Court and in the subordinate
Courts. A duplicate is also sent to the

o The Registrar

Chief Court.

o 2790.

22-3-1916.

Returns the file of papers relating
to the proposal for amending the
Civil Courts Regn 1883 and also 40
copies of the rules under Sec 21 of
the Mysore Civil Courts Regn 1883
and requests an acknowledgment by
reply.

Subd. Reply has not been
received from the Reg., Chief Court
of Mysore acknowledging the
file. May a reminder issue

M/11

B a n g a l o r e .

3rd November 1913.

Letter NO 1805/155 dated 2nd November 1913

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to Government,
General and Revenue Departments.

1913-14
Regis.
FILE NO. 23-13
SERIAL No. 1

(S/ir,)

An acrimonious and highly indecorous correspondence having taken place between the Munsiff of Shimoga and the District Judge of Shimoga concerning certain appointments in the Munsiff's Court and in the process establishment which is under the control of the Munsiff, the matter was referred to the Chief Court with the result that it passed proceedings of this date, a copy whereof is sent for the information of Government. The said correspondence has disclosed to the Chief Court the necessity of enforcing a more definite set of rules than at present obtains regarding appointments &c., to ministerial offices in subordinate courts.

2. The rule at present is that embodied in section 21 of the Civil Courts Regulation viz., that "the ministerial officers of every court shall be appointed and may be suspended or removed by the Judge of that Court. The orders of appointment, suspension or removal passed by the Subordinate Judges and Munsiffs shall be subject to the approval of the District Court....". The Munsiff of Shimoga made certain appointments to the process establishment. The District Judge did not approve of these appointments, but, instead of confining himself to his power of veto, he went further and

proceeded~~d~~ to fill up the appointments himself. This the Munsiff presented, and hence the matters in dispute were referred~~d~~ to the Chief Court.

2 The Chief Court is of opinion that the rules regulating such ~~appointments~~ appointments should be made clearer and more definite. It would propose (1) that all appointments below and up to a salary of Rs.20 in the Munsiff's Court, be made by the Munsiff, subject to the approval or veto of the District Judge. In cases where the District Judge vetoes such an appointment, he shall record his reasons and submit a copy of them to the Chief Court for information. The District Judge shall have no power of appointment to such posts in a Munsiff's court, but only the power of veto, and if that power is exercised so that matters come to an impasse, the appointment shall~~d~~ be referred to the Chief Court for orders.

4. The second general rule would be that all appointments above Rs.20 and up to and including Rs.50/- in all the Courts in the Division be made by the District Judge, who shall take into account the claims of~~d~~ all the officials in the Division. Such appointments shall be subject to the approval of or veto of the Chief Court.

5. The third general rule would be that all ministerial appointments~~d~~ over Rs.50/- salary shall be made by the Chief Court, who shall consider the claims of the officers in all the Division (or outside them).

6. If these general principles are approved of by Government the first two paragraphs of section 21 of the Civil Courts Regulation will have to be cancelled, leaving only the third general paragraph under which definite rules may be subsequently drafted by the Chief Court and submitted to Government for sanction.

I have the honour to be
Sir,

PROCEEDINGS OF THE CHIEF COURT OF MYSORE,

Read letter No. 801/163 dated the 30th September 1913 from the District Judge of Shimoga forwarding for the orders of this Court certain correspondence between him and the Munsiff of Shimoga in regard to the filling up of certain vacancies in the Munsiff's court and in the Nazarat. ~~After going through the~~ *is going through the* correspondence, the Chief Court is constrained to remark that there is much to find fault with on both sides. The language used by the Munsiff (Mr. M.L. Srikantesa Gowda) towards and concerning his superior officer, the District Judge, is in many instances, disrespectful, impertinent and insubordinate and the Chief Court must insist on his at once tendering to the District Judge an unqualified apology for this conduct. Even if the Munsiff thought that the District Judge was acting in an unwarranted and high-handed manner, it was his duty to obey the orders issued to him and request the District Judge in a temperate and respectful manner to refer the matters in controversy to the Chief Court. The correspondence discloses on the Munsiff's part faults of temperment and an impatience of control which, must, if displayed again, cause the Chief Court seriously to consider his fitness for the high post which he occupies. The Chief Court places on

record its severe censure of the Munsiff for his conduct. At the same time the Chief Court is of opinion that the conduct of the District Judge (Mr. B.S. Krishnaswamy Iyengar) was calculated give unnecessary provocation. Instead of confining himself to his constitutional and authorised power of ^{approval} ~~approval~~ or veto only (section 21 of the Mysore Civil Courts Regulation), the District Judge went further and after vetoing the Munsiff's appointments filled up the vacancies himself. This he had no authority to do and he thus deprived the Munsiff of his legitimate function of filling the vacancies, an action which was not unnaturally, resented by him. The Chief Court has under contemplation a revision of the rules governing appointments to ministerial offices. Until and unless these rules alter those at present in force, District Judge will in future confine himself to exercising only such authority as is conferred on him by section 21 of the Civil Courts Regulation.

From.

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the Government
of Mysore, Genl. & Rev. Depts.

Dated 3rd Nov/13
Despatched 3rd Nov/13

Received

General No. 1805
No. 155

Enclosure No. .

A severe correspondence having taken place between the Mr. Shindaga & the H. J. Judge concerning certain appointments in the Mysore Co. of the matter was referred to the Chief Court with the result that it passed process orders a copy of which is sent for the info of Govt. and the Chief Court forwards for the approval of Govt. Certain general principles for regulating

GPB-2,000-9.1.12

Legis File No. 23-13

Serial No. 2

Diary No. of letter referred to

General and Revenue Secretariat

(
the

191

To

Letter No. 184/
20th December 1913

The Registrar, Chief Court

Sir,

Date of issue 20/12/13

With reference to your letter No 1803
188

Signed by ^{Mr} T Lakshmi

narasimha
Rao

of 3rd Nov. 1913 proposing certain
amendments to the Civil Court Regulations

I am directed to request you to
be so good as to kindly send the
correspondence referred to therein

NO. 2790/232
No: 2790/232

Bangalore dated 14 Janu

Letter NO 2790/232 dated 19/20th January 1914
Form

10/310/4
ION Liji
GENERAL NO. 3

V. A. Rajaratna Mudaliyar Esq 23-13
one Registrar of the ~~Lower~~ Court
of Mysore

To,

K. R. Srinivasalingar Esq
The Secretary to Government
General & Revenue Departments

With reference to your no. Y 1847/Depi
23-13-2 dated 20th December last I am
directed to forward the entire Correspondence
relating to the proposal for amending the
Civil Courts Regulation

I have the hon. A. to
Sir,

Your most obedient servant

V. A. Rajaratna Mudaliyar
Registrar 51

FROM

THE REGISTRAR OF THE
Chief Court of Mysore.

TO

The Secretary to the Government
of Mysore, Genl. & Rev. Depts.

Dated 19th January/14.

Despatched 20th 2

Received

General No. 2790

No. 232

Enclosure No. 1 file as per
Index.

Forward the entire
correspondence relating
to the proposal
for amending the
Civil Courts Regn.

General and Revenue Secretariat

()
the

of issue 28/3/14

ned by SP. Rajapopalachari

Letter NO. 72804 ~~Sub~~
dated 28th March 1914

To

The Registrar, Chief
Comptroller of Mysore, Bangalore

Sir

With reference to
your letter No. of 1805
152
dated 3rd Nov: 1913
suggesting the amendment
of sec: 21 of the Mysore
civil courts Regn, 188
and the framing of certain
rules thereunder I am
directed to state that before
altering the law, it would

be better to settle the
rules to be framed, I am
therefore to forward herewith
a set of draft rules and
~~that the Govt. propose~~
~~to do so and the question~~
~~to be considered.~~

~~be~~ to request
you to be so good as
to obtain and forward the
opinion of the Chief
Court ^{thereon} ~~on the draft rules~~
for the consideration of
Government

I have &

Sd/-
For Secretary to Govt. ^{Secy} 19/3

H. M.
22/3/14
List of enclosures,

Copied by

Examined by

Letter No 220/19 dated 18 July 1914

18th July, 1914.

From

T. Venkoba Rao, Esquire, B.A., B.L.,
The Deputy Registrar, Chief Court of Mysore.

DIARY No.

To

D.M. Narasinga Rao, Esquire, B.A., B.L.,
The Secretary to the Government of Mysore,
General and Revenue Departments.

1914/2015
SECTION <i>Legis</i>
FILE NO. 23-13
SERIAL NO. 5

Sir,

Adverting to your letter No. J2804/222 Legis.23-13 dated

the 25th March 1914 calling for the opinion of the Chief Court

anent the draft rules under section 21 of the Mysore Civil Courts

Regulation, I am directed to state that it is desirable to add

the words "by the District Judge" at the end of Rule 1.

The District Judge of Bangalore has suggested that Mun-
siffs may be empowered to appoint finally all menials of their
courts other than Process Peons as they are expected to possess
the best knowledge of local men. The suggestion appears to be
good and Rule 1 may, I am to add, be suitably altered to permit

I have the honor to be,
Sir,
Your most obedient servant

[Signature]

To Secy
20/7
may

1914-15

From

The Registrar of the
Chief Court of Mysore

To

The Secretary to the Government
of Mysore, Genl. & Rev. Depts.

Dated

18th July 14

Despatched

20th 2

Received

General No.

220

No.

19

Enclosure No.

Quies. The Supreme
of the Chief Court
against the draft
rules under Sec
21 of the Mysore
Civil Courts Regl.
with certain def.

Legis 23-13-6

Bangalore

~~Sd/-~~ D.O. No. 2380 dated 17th Nov 14

to the Hon'ble the Resident
in Mysore, My dear Sir, From the Dewan



I forward herewith a Bill further
to amend the Mysore Civil Courts Re-
gulation, 1883, together with a state-
ment of objects and reasons. The
Bill will be laid before the Legisla-
tive Council on the 21st November

A Bill further to amend the Mysore
Civil Courts Regulation, 1883.

=====

Whereas it is expedient further to
amend the Mysore Civil Courts Regulation
1883, His Highness the Maharaja is --
pleased to enact as follows:-

1. In the second paragraph to Section
16 of the Regulation, the figure ~~1000~~
"100" shall be substituted for the fi-
gure "50" occurring at the end of that
paragraph.

2. For Section 21 of the Regulation
the following new section shall be sub-
stituted:-

Subject to such rules as the Govern-
ment of Mysore may prescribe in this be-
half, the ministerial officers of every
Court shall be appointed and may be -
fined, suspended or removed
Judge of that Court.

Statement of Objects

and Reasons.

Under Section 16 of the Mysore Civil Courts Regulation, Government invest a Munsiff with Small cause jurisdiction up to a limit of Rs.50/-.

2. In connection with the Munsiffs'-- Court at the Kolar Gold Fields the Chief Court are of opinion that it is desirable to raise the Small-cause jurisdiction to 100 as it would materially lighten the work of that Court without any hardship to the parties.

3. In Madras the Small-cause jurisdiction of a Munsiff is usually Rs.200/ but considering that the public opinion in the State is against unduly raising the limit it is proposed to take power to increase the jurisdiction of the Munsiffs to Rs.100/-.

4. ^{Again} ~~At present~~, appointments to ministerial offices in Civil Courts are governed by section 21 of the Mysore Civil Courts Regulation, 1883, under which every order of appointment, etc., to the ministerial offices in any Court subordinate to a District Court has to be made by the judge of that Court subject to the approval of the District Judge. But the Regulation does not clearly provide for cases when the order of appointment etc. passed by the Judge of a Subordinate Court is approved by the District Judge. Government think it desirable to issue rules to govern all appointments to ministerial offices in Civil Courts generally and therefore propose to substitute a Section framed in more general terms in the Regulation leaving detailed provisions to be made in the Rules.

NOTIFICATION

No. 115—L. C., dated Bangalore, the 22nd December 1914

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill to amend the Mysore Civil Courts Regulation, 1883, is published for general information together with a statement of objects and

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.

A Bill further to amend the Mysore Civil Courts Regulation, 1883.

Whereas it is expedient further to amend the Mysore Civil Courts Regulation, 1883; His Highness the Maharaja is pleased to enact as follows:—

1. In the second paragraph to Section 16 of the Regulation, the figure "100" shall be substituted for the figure "50" occurring at the end of that paragraph.

Amendment of the second para
to Section 16 of the Regulation.

2. For Section 21 of the Regulation the following new section shall be substituted:—

Substitution of a new section
for Section 21 of the Regulation.

"21. Subject to such rules as the Government of Mysore may prescribe in this behalf, the ministerial officers of every Court shall be appointed and may be fined, suspended or removed, by the Judge of that Court."

Statement of Objects and Reasons.

Under Section 16 of the Mysore Civil Courts Regulation, Government may invest a Munsiff with Small-cause jurisdiction up to a limit of Rs. 50.

In connection with the Munsiff's Court at the Kolar Gold Fields the Chief Court are of opinion that it is desirable to raise the Small-cause jurisdiction to Rs. 100 as it would materially lighten the work of that Court without any hardship to the parties.

In Madras the Small-cause jurisdiction of a Munsiff is usually Rs. 200 but considering that the public opinion in the State is against unduly raising the limit it is proposed to take power to increase the jurisdiction of the Munsiffs to Rs. 100.

Again appointments to ministerial offices in Civil Courts are governed by Section 21 of the Mysore Civil Courts Regulation, 1883, under which every order of appointment, etc., to the ministerial offices in any Court subordinate to a District Court has to be made by the judge of that Court subject to the approval of the District Judge. But the Regulation does not clearly provide for cases when the order of appointment, etc., passed by the Judge of a subordinate Court is not approved by the District Judge. Government think it desirable to issue rules to govern all appointments to ministerial offices in Civil Courts generally and therefore propose to substitute a section framed in more general terms in the Regulation leaving detailed provisions to be made in the Rules.

~~ages 10-14~~
D.O. No. 8102 dated 24th Nov 1914
27.11.14

From the Assistant to the
Honble the Resident Magistrate
Mysore

D. O. No. 22089

DIARY No. 1742

B a g a l o r e, 19/11-1914 27 th November 1914. SECTION 47
FILE No. 23-13
SERIAL No. 2

I am desired to acknowledge the receipt of
your D.O. letter No.2380, dated the 17th November
1914, forwarding a Bill further to amend the 47
Mysore Civil Courts Regulation, 1883, and to say
that the Resident sees no prima facie objection
to the bill being laid before the Legislative

SUBJECT / Requesting sanction of the Govt of India for the Bill further to amend the Mysore Civil Courts Regn. 1883, which has been passed into law.

Diary No. of letter replied to _____

Section Legis

File No. 23-

Serial No. 8

General and Revenue Secretariat

191

Letter No. Pol 265

Encl 2 sets of

For Assistant to the Hon

To

The F.A. Resident in

Date of issue 1. 8. 15

Signed by Mr. D. H. Verma Mysore, Bangalore

Sir

I am directed to forward herewith two copies of the Bill further to amend the ~~Bill~~ further Mysore Civil Courts Regn., 1883, and of the Report of the Select Committee thereon, and to state as follows:-

2. Under section 16 of the Regn., Government may invest a Munsiff with small cause jurisdiction up to limit of Rs 50. In the case of the Munsiff's Court at K. G. F. the Chief Court recommended that it was desirable to raise the small-cause jurisdiction to Rs 100 as it would materially lighten the work of that Court without any hardship to the parties. In Madras the Small. Cause jurisdiction of a Munsiff is usually Rs 200 but considering that the public opinion in the State is against unduly raising the limit it is proposed

List of enclosures. Two
of Billot.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

under clause 1 to take power to increase the jurisdiction of the Munsiffs to Rs. 100.

3. Again appointments to ministerial offices in Civil Courts are governed by Section 21 of the Mysore Civil Courts Regulation, 1883 under which every order of appointment, &c., to the ministerial offices in any Court subject to a subordinate to a District Court has to be made by the Judge of that Court subject to the approval of the District Judge. But the Regulation does not clearly provide for cases when the order of appointment, &c., passed by the Judge of a subordinate Court is not approved by the District Judge. But the Regulation does not clearly provide

2 cases when the order
of appointment is, passed
by the judge of a subordinate
court & not approved
by the ~~the~~ judge. ^{The Durbar} Government
think it desirable to issue
rules to govern all appoint-
ments to ministerial offices
- Civil Courts generally
^{under} clause 2 of the Bill
new section in more
usual terms is substituted
a sec: 21 of the Regn..

The Bill was placed
before the Mysore Legislative
Council and has been
adopted by them. I am
therefore to request you
to be so good as to
move the Honble the
Resident to obtain
the sanction of the G.
of India for the Bill
being passed into law.
I have

A Bill further to amend the Mysore Civil Courts Regulation, 1883.

(As adopted by the Mysore Legislative Council.)

Whereas it is expedient further to amend the Mysore Civil Courts Regulation, 1883; His Highness the Maharaja is pleased to enact as follows:—

1. In the second paragraph to Section 16 of the Regulation, the figure “100” shall be substituted for the figure “50” occurring at the end of that paragraph.

Amendment of the second para
to Section 16 of the Regulation.

2. For Section 21 of the Regulation the following new section shall be substituted:—

Substitution of a new section
for Section 21 of the Regulation.

“21. Subject to such rules as the Government of Mysore may prescribe in this behalf, the ministerial officers of every Court shall be appointed and may be fined, suspended or removed, by the Judge of that Court.”

NOTIFICATION.

No. 115—L. C., dated Bangalore, the 22nd December 1914.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill to amend the Mysore Civil Courts Regulation, 1883, is published for general information together with a statement of objects and reasons.

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.

A Bill further to amend the Mysore Civil Courts Regulation, 1883.

Whereas it is expedient further to amend the Mysore Civil Courts Regulation, 1883; His Highness the Maharaja is pleased to enact as follows:—

1. In the second paragraph to Section 16 of the Regulation, the figure "100" shall be substituted for the figure "50" occurring at the end of that paragraph.

Amendment of the second paragraph of Section 16 of the Regulation.

2. For Section 21 of the Regulation the following new section shall be substituted:—

Substitution of a new section for Section 21 of the Regulation.

"21. Subject to such rules as the Government of Mysore may prescribe in this behalf, the ministerial officers of every Court shall be appointed and may be fined, suspended or removed, by the Judge of that Court."

Statement of Objects and Reasons.

Under Section 16 of the Mysore Civil Courts Regulation, Government may invest a Munsiff with Small-cause jurisdiction up to a limit of Rs. 50.

In connection with the Munsiff's Court at the Kolar Gold Fields the Chief Court are of opinion that it is desirable to raise the Small-cause jurisdiction to Rs. 100 as it would materially lighten the work of that Court without any hardship to the parties.

In Madras the Small-cause jurisdiction of a Munsiff is usually Rs. 200 but considering that the public opinion in the State is against unduly raising the limit it is proposed to take power to increase the jurisdiction of the Munsiffs to Rs. 100.

Again appointments to ministerial offices in Civil Courts are governed by Section 21 of the Mysore Civil Courts Regulation, 1883, under which every order of appointment, etc., to the ministerial offices in any Court subordinate to a District Court has to be made by the judge of that Court subject to the approval of the District Judge. But the Regulation does not clearly provide for cases when the order of appointment, etc., passed by the Judge of a subordinate Court is not approved by the District Judge. Government think it desirable to issue rules to govern all appointments to ministerial offices in Civil Courts generally and therefore propose to substitute a section framed in more general terms in the Regulation leaving detailed provisions to be made in the Rules.

NOTIFICATION.

No. 246—L. C., dated 6th April 1915.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following report of the Select Committee on the Bill further to amend the Mysore Civil Courts Regulation, 1883, is published for general information.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill further to amend the Mysore Civil Courts Regulation, 1883.

We, the Members of the Select Committee appointed to consider the Bill further to amend the Mysore Civil Courts Regulation, 1883, have the honor to state that the amendments proposed in the Bill may be adopted and that we have

H. V. Nanjundayya.
D. M. Narasinga Rao.
S. R. Balakrishna Rao.
B. Venkatashamanna.

NOTE.—Mr. C. S. Doraswami Iyer who was also a Member on the Committee was absent.

Letter No. 7104. dated 8.10.15.

FROM

P. B. WARBURTON, Esq., I. C. S.,
The FIRST ASSISTANT TO THE R[

Recd 688 830 8.

TO

The Dewan of Mysore.

Dated Bangalore, 30th Nov. 1915.

I am pleased to acknowledge the receipt of Mr. Narasinga Rao's letter No. 265 Pol., dated the 1st September 1915, forwarding for the approval of the Government of India, a Bill further to amend the Mysore Civil Courts Regulation, 1883.

2. In reply, I am to say that the Governor General in Council has no objection to the proposed Regulation.

I have the honour to be,

Sir,

Your most obedient servant,

29/10
G.R.S. 28]

Order, the publication of the Bill for
to amend the Mysore Civil Courts Regn., 1883
18-11-1915.

Legis File No. 23-
Serial No. 10.

Diary No. of letter replied to:

GENERAL AND REVENUE
SECRETARIAT.

Proceedings of the Government of His Highness
the Maharaja of Mysore

the

191

READ

Date of issue 30/11/1915

Signed by

Mr. G. Sreenivasulu

ORDER THEREON.—No.

2071. En. one

Ordered that the
accompanying Regulation further
to amend the Mysore Civil
Courts Regulation, 1883,
which received the assent

of His Highness the
Maharaja on the 26th Nov: 1915
be published ^{for general information} ~~in the Gazette~~
~~in English and Kannada~~
as Regulation IX of 1915.

28/11/11
For Secretary to Govt

20

The compiler Mysore Gazette,
for publication in ^{Part III of} the Gazette
in English and Kannada
and for supplying 200 spare
copies in English and 100 in
Kannada to this Office and 100 in
English and 50 in Kannada
to the Curator, Govt. Central
Book Depot, Bangalore.

Proof should be sent to
this Office for approval
before publication.

REGULATION No. IX OF 1915.

A Regulation further to amend the Mysore Civil Courts Regulation, 1883.

*(Received the assent of His Highness the Maharaja
November 1915.)*

Whereas it is expedient further to amend the Mysore Civil Courts Regulation, 1883; His Highness the Maharaja is pleased to enact as follows:—

1. In the second paragraph to Section 16 of the Regulation, the figure "100" shall be substituted for the figure "50" occurring at the end of that paragraph.

Amendment of the second para
to Section 16 of the Regulation.

2. For Section 21 of the Regulation the following new section shall be substituted:—

Substitution of a new section
for Section 21 of the Regulation.

"21. Subject to such rules as the Government of Mysore may prescribe in this behalf, the ministerial officers of every Court shall be appointed and may be fined, suspended or removed, by the Judge of that Court."

SUBJECT.....
.....
.....

Diary No. of letter replied to.....

Section *Legis*
File No. *23-1.*
Serial No. *12.*

General and Revenue Secretariat

()
the

191

Letter No. *Post 630 dat*
20th December 1915
To *The F. A. Resident,*

Date of issue *20*

Signed by *M. V. G. Srinivasan*

Mysore, Bangalore
Sr.

I am directed to forward herewith 11 copies of the Regulation No IX of 1915 (A Regulation for to amend the Mysore Civil Courts Regn, 1883, and to request you to

Highness the Nizam's
Govt.

I have &

SS 18/11
for Secretary to Govt.

cc
part 1.5

draft

Legis File No. 23-13
Serial 12

Diary No. of letter _____

General and Revenue Secretariat

()
the 19

Date of issue 21/12/1915

Signed by Mr. G. Sreenivasaiah

Letter No. 92478

To dated 21-12-1915
Encl. 32 copies

The Registrar

Chief Court of Mysore
Bangalore

Sir

I am directed to
forward herewith ^{for reference} 32 copies
of Regn. IX of 1915, (A
Regulation further to
amend the Mysore Civil
Courts Regn., 1883,) and
to request ~~that~~
for an acknowledgment.

A P. A. P.

Chief Court of Mysore.

Bangalore, dated the 22nd December 1915.

Letter No 3012/235, dated 22/12/1915

from

H. T. Gopalingar, Esq., B.A., LL.

The Registrar of the Chief Court of Mysore.

To

D. M. Narasinga Rao, Esq., B.A., B.L.

The Secretary to the Government of Mysore.

General Department.

DIAZY No. *18*

<i>16</i>
<i>Legis</i>
<i>23-13</i>
<i>13</i>

I am directed to acknowledge the receipt of 32 copies of Regulation, IX of 1915, (A regulation further to amend the Civil Courts Regulation of 1933) forwarded with your letter No: 2478/Legis.23-13-12 dated the 21st instant.

RULES UNDER SECTION 21 OF THE MYSORE
CIVIL COURTS REGULATION, 1883.

Identification: 93588
 14 March, 1916. Log 23-13-141

Under Section 21 of the Mysore Civil Courts Regulation, 1883, the Government of His Highness the Maharaja are pleased to prescribe the following rules for making appointments to ministerial offices of the Civil Courts in Mysore.

1. ADLERS DE A MUNDIALE.

A Munsiff may make all appointments in his Court carrying a salary not exceeding Rs.20 per month subject to confirmation by the District Judge.

provided that no such confirmation shall be necessary for the appointment of menial servants other than the permanent appointments of process servers.

2. PLEASE RE-PUBLISH THE J.D.

(1) All appointments of the inferior service in the Court of a Subordinate Judge may be made by the Subordinate Judge.

(2) A Subordinate Judge may also make appointments in the subordinate service on the establishment of his Court carrying a salary up to Rupees 25 (twenty-five) a month subject to the approval of the District Judge.

3. POWERS OF THE DISTRICT JUDGE.

A District Judge may make all appointments,

(1) On the establishment of Courts of Munsiffs subordinate to carrying a salary exceeding Rupees 20 (twenty);

(2) On the establishment of Court of a Subordinate Judge, subordinate to him, carrying a salary exceeding Rupees 25 (twenty-five) and not exceeding Rupees 50 (fifty) per month;

(3) On the establishment of own Court when the salary attached to the appointment does not exceed Rupees 50 (fifty) per month.

4. POWERS OF THE CHIEF COURT.

The Chief Court may make all appointments on the establishment of any civil court in Mysore carrying

salary exceeding Rupees 50 (fifty) per month;

Provided that appointments, carrying a salary of Rupees 100 (one hundred) and upwards per month or a salary rising by increments to Rupee (one-hundred) 100, shall be subject to confirmation by Government.

5. Where in the case of an appointment made by a Munsiff or a Sub Judge which is subject to the approval of the District Judge, the District Judge and the Munsiff or the Sub Judge as the case may be, are unable to agree upon an appointment, the matter shall be reported for the orders of the Chief Court, ~~and~~ whose order thereupon shall be final.

6. Every ministerial officer who is suspended or removed by order of a Munsiff or Sub-Judge may appeal to the District Judge against such order and if removed or suspended by order of a District Judge may appeal to the Chief Court. The orders of the District Judge or the Chief Court

as the case may be, passed on such
appeal shall be final.

By order

Secretary to Govt
G.D.

To

The Compiler, Mysore
Gazette for publication
in Part-III of the Gazette
in English and in Kannada
and for supplying 2000 copies
in English to this
office.

NOTIFICATION.

No. J. 3588—*Legis.* 23-13-14, dated 4th March 1916.

Under Section 21 of the Mysore Civil Courts Regulation, 1883, the Government of His Highness the Maharaja are pleased to prescribe the following rules for making appointments to ministerial offices of the Civil Courts in Mysore.

1. *Powers of a Munsiff.*—A Munsiff may make all appointments in his Court carrying a salary not exceeding Rs. 20 per month subject to confirmation by the District Judge.

Provided that no such confirmation shall be necessary for the appointment of menial servants other than the permanent appointments of process peons.

2. *Powers of a Subordinate Judge.*—(1) All appointments of the inferior service in the Court of a Subordinate Judge may be made by the Subordinate Judge.

(2) A Subordinate Judge may also make appointments in the superior service on the establishment of his Court carrying a salary up to Rs. 25 (twenty-five) a month subject to the approval of the District Judge.

3. *Powers of the District Judge.*—A District Judge may make all appointments :—

(1) On the establishment of Courts of Munsiffs subordinate to him carrying a salary exceeding Rs. 20 (twenty) ;

(2) On the establishment of the Court of a Subordinate Judge, subordinate to him, carrying a salary exceeding Rs. 25 (twenty-five) and not exceeding Rs. 50 (fifty) per month ;

(3) On the establishment of his own Court when the salary attached to the appointment does not exceed Rs. 50 (fifty) per month.

4. *Powers of the Chief Court.*—The Chief Court may make all appointments on the establishment of any Civil Court in Mysore, carrying a salary exceeding Rs. 50 (fifty) per month ;

Provided that appointments, carrying a salary of Rs. 100 (one hundred) and upwards per month or a salary rising by increments to Rs. 100 (one hundred) shall be subject to confirmation by Government.

5. Where in the case of an appointment made by a Munsiff or a Sub-Judge which is subject to the approval of the District Judge, the District Judge and the Munsiff or the Sub-Judge as the case may be, are unable to agree upon an appointment, the matter shall be reported for the orders of the Chief Court, whose order thereupon shall be final.

6. Every ministerial officer who is suspended or removed by order of a Munsiff or Sub-Judge may appeal to the District Judge against such order and if removed or suspended by order of a District Judge may appeal to the Chief Court. The orders of the District Judge or the Chief Court, as the case may be, passed on such appeal shall be final.

By Order,

D. M. NARASINGA RAO,
Secretary to Government,
General Department

Diary No. of letter replied to

General and Revenue Secretariat

To

191

The Registrar, Chief Court
of Mysore, Bangalore

Date of issue 22nd March 1916

Signed by Mr G. Sreenivasaya

Sir

I am directed to return
herewith the file of paper
relating to the proposal for
amending the Civil Courts
Regulation, 1883, ^{received} ~~sent~~ with
your office letter No 2790
232
dated 19th January 1914, and
to ~~request~~ an acknowledgment.

~~I am further to send you~~
40 copies of the rules under

cc: 21 of the Mysore Civil
Courts Regn., 1883, issued
under ~~the~~ Govt. Notice

No. of 35-88 - Legis 23-13-14,
dated 4th March 1916 for
use in the Chief Court and in
the Subordinate Civil Courts
and to request an acknowledgment
for both

y have &c.

Forat/3
For Secretary to Govt.
General Dept.